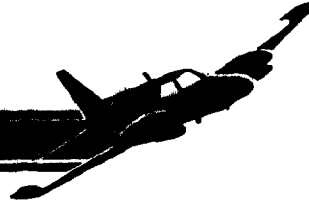


50 AIRPORT ROAD
FORT MADISON, IA 52627

AIR EXEC INC.

319-372-1138



MM97-182

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October 21, 1997

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OCT 27 1997

FCC MAIL ROOM

Federal Communications Commission
FCC Dockets Branch
Room 239
Docket No. 97-296
1919 M. Street, NW
Washington, DC 20554

To Whom It May Concern:

This letter is written in objection to the preemption of tall structures zoning that could occur if the FCC is granted authority as requested in the form of NPRM in the Federal Register on September 2, 1997.

Installation of tall structures near airports poses a hazard to public safety.

No objection is being made to tall structures that would not affect current or planned instrument approach procedures to airports. Objection is not made to preemption in general, but only as it would apply to airport approaches, current or planned.

Thank you for reading my objection.

Sincerely,

Stephen M. Hohl
President

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MM 97-182

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October 22, 1997

Federal Communications Commission
FCC Dockets Branch
Room 239
Docket #97-296
1919 M Street, NW
Washington, DC 20554

Gentlemen:

I am extremely concerned that a recent proposal allowing the FCC to preempt local zoning authorities for the construction of 1,000 foot tall DTV towers will prove catastrophic for aviation! In many cases, local zoning laws are all that protect airspace around airports from the construction of tall hazards. This proposal, as I understand it, would eliminate the local zoning authority and allow the immediate construction of these antenna towers without regard for airport safety.

I ask that you strongly oppose any attempt to weaken the local zoning powers as they effect aviation safety.

If the Bill were to include specific procedures to protect the sanctity of aviation activities near airports, you would no longer jeopardize the FAA's ability to effectively manage safety. I doubt that this would have a catastrophic impact on the original intent of the proposal.

Sincerely,



Marc A. Fruchter
President

MAF:dw

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MARC FRUCHTER AVIATION, INC.



SERVE, PRESERVE & IMPROVE OUR CITY WITH PRIDE,
EFFICIENCY & A VISION FOR TOMORROW.

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City of Ottumwa

105 East Third
Ottumwa, Iowa 52501-2905
Phone 515-683-0600
FAX 515-683-0613

REC'D

OCT 21 1997

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October 20, 1997

Office of Secretary
Federal Communications Commission
Washington, D.C. 20554

**RE: M.M. DOCKET 97-182: PREEMPTION OF STATE AND LOCAL ZONING AND
LAND USE RESTRICTIONS ON SITTING, PLACEMENT, AND CONSTRUCTION OF
BROADCAST STATION TRANSMISSION FACILITIES**

To Whom It May Concern:

The City of Ottumwa is very concerned about the proposed FCC rule which states:

1. "No state or local government or instrumentality thereof may deny a request to place, construct, or modify a broadcast antenna facility on the basis of:
 - (I) the environmental or health effects of radio frequency emissions to the extent that such facility has been determined by the Commission to comply with the Commission's regulations and/or policies concerning such emissions;
 - (ii) interference effects on existing or potential telecommunications providers, end users, broadcasters, or third parties to the extent that such facility has been determined by the Commission to comply with the Commission's regulations and/or policies concerning interference;
 - (iii) Lighting, painting, and marking requirements, to the extent that the facility has been determined by the FAA or the Commission to comply with applicable FAA and Commission regulations and/or policies regarding tower lighting, painting and marking;
2. Any state or local land-use, building, or similar law, rule or regulation that impairs the ability of federally authorized radio or television operators to place, construct, or modify broadcast transmission facilities, is preempted unless the promulgating authority can demonstrate that such regulation is reasonable..."

The City is very concerned that we may lose the ability to regulate construction of towers. While we have this concern for all areas of the community, we are particularly concerned about areas

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Federal Communications Commission
October 20, 1997
Page 2

around the Ottumwa Industrial Airport. Our understanding is that the proposed rule would require that if the local authority wants to object to construction of a tower, it must do so within 21 to 45 days of application or the construction can proceed. Since the local authority will not be the recipient of the application, it is very likely that construction of a tower could be underway prior to the City even knowing that the application was filed.

We appreciate this opportunity to provide input on this proposed rule. I would encourage the Commission to be very cautious when considering the implementation.

Sincerely,


Dale M. Uehling, Mayor